# DEPARTMENT OF EDUCATION

## **SPECIAL EDUCATION PROGRAMS**

## **Vermillion School District**

## Accountability Review - Focus Monitoring Report 2007-2008

Team Members: Chris Sargent, Donna Huber, Mary Borgman, Barb Boltjes, Education

Specialists; Beth Gordon, Special Education Programs

Dates of On Site Visit: April 14<sup>th</sup> and 15<sup>th</sup>, 2008

Date of Report: May 5, 2008

3 month update due: August 5, 2008 Date Received: August 5, 2008

6 month update due: November 5, 2008 Date Received: 9 month update due: February 5, 2008 Date Received:

Date Closed:

## Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Indian children operated or funded by the Secretary of the Interior:
- (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
- (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

#### State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
- (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14: and
- (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)

### **State enforcement -- Determinations.**

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

#### Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARAD 24:05:20:20.)

## 1. GENERAL SUPERVISION

Present levels: (March 19th & 20th, 2007)

## ARSD 24:05:22:03 Certified child

A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count. The monitoring team was unable to verify eligibility or educational impact for a child currently being served.

# Follow-up: April 14<sup>th</sup> and 15<sup>th</sup>, 2008 Finding:

Through a review of student records, the team identified a preschool student who did not meet the South Dakota Eligibility criteria for developmental delay as reported on the 2007 child count. Student number 2 was determined eligible using scores from the Visual Motor Integration test (VMI). In reviewing other files, the team noted that documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act was not consistently present for verification of the annual federal child count. For example, documentation of a student's medical diagnosis of ADHD was not included on the prior notice or available for reference in the students file. The student was identified as Other Health Impaired on child count.

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
Activity/Procedure: The district will develop and implement a procedure for reviewing all student files to ensure evaluation documentation is present supporting the student's disabling condition as reported on child count annually. The district will ensure the evaluation documentation available in the student's files matches the required evaluations in the technical assistance document "Determining Eligibility for Special Education in South Dakota". The district will	December 1, 2008	Special Education Director and Staff	8-5-08 Meets Requirement

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3 month Progress Report: Of 11 files, initials/reevals, reviewed following the April on-site review, 11 were found to contain correct documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act ie. medical diagnosis of ADHD for OHI category found on file. Regarding the eligibility of preschool Student #2 and the category of Developmental Delay based on the results of the Vineland (VMI), the team believes that the category determination is correct. In referencing the State of SD, Dept. of Ed. Tech Assistance Document, revised 9/2007, the VMI is listed as a tool whose Standardization, Reliability and Validity are ADEQUATE. The student was also administered the BDI 2 which supported concern in gross physical motor and as part of our process, a referral for an OT evaluation. The results of this evaluation indicate at least a 2.0 standard deviation in one (of five) areas - fine motor: Visual Perception -2.20; Motor Coordination -2.27. And based on the definition provided for Developmental Delay, these scores appear to meet the criteria for 2.0 SD in one of five areas/1.5 SD in two or more areas. Please note that this student was recently evaluated, and based on evaluation results from this same test as well as the Peobody Motor Scales, eligibility criteria was not met this time; student didn't qualify and was exited. Sped Director will gain clarification from a state sped rep and discuss this information with the Sped Staff/case managers on or before September 25th.

Meets Requirements: Per our conversation on 8-11-08, the test of Visual Motor Integration (VMI) is a visual motor evaluation and cannot be used for determining eligibility for the category of developmental delay (fine/gross motor). Since student number 2 was reevaluated and dismissed from services, no further action is required.

## 2. GENERAL SUPERVISION

Present levels: (March 19<sup>th</sup> & 20<sup>th</sup>, 2007)

ARSD 24:05:25:04.02 Determination of needed evaluation data.

Based on file reviews, the monitoring team found the Vermillion School District has not consistently documented parent input into the evaluation planning process.

Follow-up: April 14<sup>th</sup> and 15<sup>th</sup>, 2008 Finding:

Through a review of student records, parent input into the evaluation process was not documented in 12 files reviewed.

<b>Corrective Action:</b> Document the specific activities	Timeline for	Person(s)	(SEP Use
and procedures that will be implemented and the	Completion	Responsible	Only)
data/criteria that will be used to verify compliance.	_	-	Date Met
Activity/Procedure:			
The district will develop and consistently implement a	February	Special	
procedure to ensure that parents are given	2009	Education	
opportunity to review the districts evaluation plan		Director and	

and provide input. The date of the input and the	Staff	
parent's comments will be documented on the prior		
notice/consent for the evaluation form.		
Data Collection:		
The district will review all prior notice/consents for		
initial and revaluation occurring during the progress		
reporting period and report the total number of		
notices reviewed and the total number which contain		
parent input data.		

3 month Progress Report: Of  $\underline{13}$  files, initials/reevals, reviewed following the April on-site review,  $\underline{5}$  documented discussion of parent input data with specified dates,  $\underline{5}$  were found to contain parent input data **not** dated in the Prior Notice/Consent for Evaluation form; and  $\underline{3}$  included parent input data in the Referral form only. Sped Staff will meet on or before September  $25^{th}$  to review, amend current procedures for documenting parent input.

3 month review of progress-Not Met: Establish procedure, continue to review files and report data.

6 month Progress Report: 9 month Progress Report:

## 3. **GENERAL SUPERVISION**

Present levels: (March 19<sup>th</sup> & 20<sup>th</sup>, 2007) ARSD 24:05:25:04 Evaluation procedures

The monitoring team found that written reports are not being generated on the transition assessment and given to the parents. Functional evaluations were not found in the evaluation process.

Follow-up: April 14<sup>th</sup> and 15<sup>th</sup>, 2008 Finding: Meets Requirements

Through a review of student records, the team found transition evaluation reports for students who had been evaluated during the 2007 school year. It was also noted that functional assessment information was reported and linked to the PLAAFP. The district was encouraged to continue to work on identifying quality skill specific strengths and needs for students.

**Corrective Action: None** 

## 4. **GENERAL SUPERVISION**

Present levels: (March 19<sup>th</sup> & 20<sup>th</sup>, 2007)

### ARSD 24:05:30:04. Prior notice and parent consent.

The monitoring team found that transition evaluations were sometimes being completed, but there was no parent permission to administer the assessments. Evaluations are being administered without consent from parents, and evaluations listed on the prior notice are not being given.

# Follow-up: April 14<sup>th</sup> and 15<sup>th</sup>, 2008 Finding:

Through a review of student records the team identified several prior notice/consent issues. For example:

1. The prior notice document was being used as the referral document for students referred for speech/language services.

- 2. Consent was received to conduct an evaluation in the area of adaptive behavior however there was no evidence in the student record that the evaluation was conducted.
- 3. The team could not locate the prior notice/consent for an evaluation conducted at the Center for Developmental Disabilities.
- 4. Eligibility determination meetings were conducted for three students with no evidence of parental prior notice for the meeting.

Corrective Action: Document the specific activities	Timeline for	Person(s)	(SEP Use
and procedures that will be implemented and the	Completion	Responsible	Only)
data/criteria that will be used to verify compliance.			Date Met
Activity/Procedure:			
The district will review and revise it	September	Special	
policies/procedures regarding the appropriate use of	2008	Education	
the prior notice document and steps that will be		Director and	
taken to ensure that written prior notice is provided		Staff	
to parents and copies placed into the student's			
educational record.			
Data Collection:			
The district will document the revisions it has made			
to the districts procedures to ensure referrals are			
documented appropriately, evaluations on the notice			
are administered and that notice is given prior to			
eligibility meetings.			

**3 month Progress Report:** On or before September 25<sup>th</sup>, Sped Director will meet with sped staff to review and revise its policies/procedures regarding the appropriate use of the Prior Notice document, ensure that referrals are documented appropriately, written prior notice is provided to parents and copies placed in the student's educational record., evaluations listed on the notice are administered, and notice is given prior to eligibility meetings. Documentation of the revisions made will be sent to SEP in a timely manner following this meeting.

3 month review of progress-Not Met: Procedures will be submitted with the 6 month progress report.

6 month Progress Report: 9 month Progress Report:

### 5. **GENERAL SUPERVISION**

Present levels: (March 19th & 20th, 2007)

<u>CRF 300:324:95.</u> Development, review, and revision of IEP. Consolidation of IEP <u>Team meetings.</u> The monitoring team found several files which included reevaluations that were conducted following the annual IEP. The IEP was not rewritten at that time, therefore; requiring another meeting to meet the annual review date. There were also several meetings which were conducted to change eligibility at times other than following a reevaluation or an annual review.

Follow-up: April 14th and 15th, 2008

Finding: Meets Requirements

Through a review of student files the team noted marked improvement in the tracking system used to consolidate the number of meeting held for students.

**Corrective Action: None** 

## 6. **GENERAL SUPERVISION**

Present levels: (March 19<sup>th</sup> & 20<sup>th</sup>, 2007)

## ARSD 24:05:27:01.03. Content of individualized education program

Each student's individualized education program shall include a statement of the student's present levels of academic achievement and functional performance, including how the student's disability affects the student's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students); as well the anticipated frequency, location, and duration of services and modifications.

The monitoring team found student files lacked the required content in the PLAAFPs including specific skill area(s) affected by the student's disability, to include strengths and needs, along with how the disability affects the student's involvement in the general curriculum and parent input. PLAAFP's did not contain specific skills. File reviews indicated functional assessments are not being completed to acquire the skill-based information to develop present levels of academic achievement and functional performance for students eligible for special education services. Annual goals did not consistently specify measurable skills.

# Follow-up: April 14<sup>th</sup> and 15<sup>th</sup>, 2008 Finding:

The team noted marked improvement in the present levels of academic achievement and functional performance (PLAAFP), functional assessment and annual goals. The district speech and early childhood staff needs to consistently document parent input in the PLAAFP information.

Corrective Action: Document the specific activities	Timeline for	Person(s)	(SEP Use
and procedures that will be implemented and the	Completion	Responsible	Only)
data/criteria that will be used to verify compliance.	-	-	Date Met
Activity/Procedure:			
The district will review all speech/language and early	February	Special	
childhood IEPs that were developed during the	2009	Education	
progress reporting period to ensure parent input was		Director and	
documented in the present levels.		Staff	
Data Collection:			
The district will review all speech/language IEPs and			
early childhood IEPs developed during the progress			
reporting period. The district will report the total			
number of each reviewed and the number of each			
that contain a parent input statement in the present			
levels.			

3 month Progress Report: Of <u>6</u> files, S/L & EC, reviewed following the April on-site review, <u>4</u> were found to contain a parent input statement in the Present Levels of Performance section.

3 month review of progress-Not Met: Establish procedure, continue to review files and report data.

6 month Progress Report:9 month Progress Report:

### 7. GENERAL SUPERVISION

**State Performance Plan - Indicator 3:** Participation and performance of children with disabilities on statewide assessments.

- 1. Percent of districts meeting State's AYP objectives for progress for disability subgroup.
- 2. Participation rate for children with IEPs in a regular assessment with not accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
- 3. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

**Annual Performance Report Activity** – Conduct an accommodation study to verify IEP teams are providing instructional accommodations if they are also providing those accommodation on statewide assessments.

## Finding: April 14<sup>th</sup> & 15<sup>th</sup>, 2008

Through a review of 21 student files, data gathered by the review team indicated accommodations/modifications did not consistently related to the skill areas affected by the disability. The accommodations provided for State/District wide assessments were not consistently provided in the student's instructional program. Accommodations identified in the IEPs for State/District wide assessment were not consistently used during the assessment administration.

Corrective Action: Document the specific activities and procedures that will be implemented and the	Timeline for Completion	Person(s) Responsible	(SEP Use Only)
data/criteria that will be used to verify compliance.			Date Met
Activity/Procedure:			
1. The district will review current policy/procedure to		Special	
determine why discrepancies are occurring.	May 2009	Education	
2. Develop a process that will allow for the		Director and	
appropriate documentation and provision of		Staff	
accommodations for state/district assessments.		& - ··	
3. Train IEP staff and testing coordinator in the		Testing	
procedures/process.		Coordinator	
4. Implement procedures and collect data to verify			
accommodation are appropriately documented and provided during state/district assessments.			
5. Analyze data collected to determine if the			
procedures implemented corrected the discrepancies.			
Repeat steps 1 through 5 if discrepancies continue.			
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Data Collection:			
The district will collect and submit to SEP the			
following data:			
1. Written description of the districts review process			
to identify why the discrepancies are occurring.			
2. Written description of the process the district will			
implement to correct the discrepancies.			
3. Training documentation to include the date staff			
training occurred, name of individual who provided			
the training and sign-in sheet with the name of all			
participants/position titles, who attended the			
training.			

**3 month Progress Report**: Sped Director and District Testing Coordinator will arrange a preliminary meeting to discuss findings of discrepancy in the documentation and provision of accommodations for

state/district assessments. Sped Director will then meet with sped staff to further review current policy and determine process/procedures for correcting discrepancies. Sped Director will confer with a state dept representative about training.

3 month review of progress-Not Met: Identify cause of problem, establish process to correct, submit written procedures and staff training documentation.

6 month Progress Report: 9 month Progress Report:

### 8. GENERAL SUPERVISION

Present levels: April 14th and 15th, 2008

**SPP Indicator 11:** Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 25 school days.

Finding: Meets Requirements

Through a review of student records the district consistently determined eligibility within 25 school days of receiving consent to evaluate.

**Corrective Action: None** 

## 9. GENERAL SUPERVISION

Present levels: April 14th and 15th, 2008

**SPP Indicator: 13:** Percent of youth age 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Finding: Meets Requirement

Through a review of transition IEPs written during the 2007-08 school year, the review team found the IEPs reflected a coordinated set of activities designed to meet the student's post-secondary goals.

**Corrective Action: None** 

### 10. GENERAL SUPERVISION

Present levels: April 14th and 15th, 2008

### ARSD 24:05:27:01.03. Content of individualized education program

Each student's individualized education program shall include:

(4) An explanation of the extent, if any, to which the student will not participate with non-disabled students in the regular class and in activities described in this section.

#### Finding:

Through a review of nine student records the justification for placement did not describe the instructional needs of the students resulting in the removal from the general classroom setting.

Corrective Action: Document the specific activities	Timeline for	Person(s)	(SEP Use
and procedures that will be implemented and the	Completion	Responsible	Only)
data/criteria that will be used to verify compliance.			Date Met
Activity/Procedure:			
District staff will review its procedures for	February	Special	
determining and documenting the justification for	2009	Education	
placement. Information provided in the IEP technical		Director and	
assistance guide will be used as a basis for staff		Staff	
training.			

Data Collection:		
The district will review all IEPs written during the		
progress reporting period and report the total		
number of IEPs reviewed and the number that		
contain justification for placement statements		
describing the students instructional needs resulting		
in removal.		

**3 month Progress Report**: Of <u>11</u> files, initials/reevals, reviewed following the April on-site review, <u>8</u> were found to contain justification for placement statements describing the students instructional needs resulting in removal. Sped Staff will meet on or before September 25<sup>th</sup> to review, amend current procedures for determining and documenting the justification for placement statements.

3 month review of progress-Not Met: Establish procedure, continue to review files and report data.

6 month Progress Report:9 month Progress Report:

## 11. GENERAL SUPERVISION

Present levels: April 14th and 15th, 2008

ARSD 24:05:25:26 Extended school year authorized

The district shall provide special education or special education and related services to eligible children if the IEP team determines on an individual basis that such services are necessary for the provision of FAPE. An IEP pursuant to chapter 24:05:27 shall be developed by the IEP team and implemented with informed parental consent. The IEP team shall determine the length of the school day and duration of extended school year services based on the individual child's needs.

## Finding:

Through a review of student records, ESY services were not adequately documented for two students.

<b>Corrective Action:</b> Document the specific activities	Timeline for	Person(s)	(SEP Use
and procedures that will be implemented and the	Completion	Responsible	Only)
data/criteria that will be used to verify compliance.			Date Met
Activity/Procedure:			
The district special education director will review the	February	Special	
district procedures for determining and documenting	2009	Education	
extended school year (ESY) services in the IEP.		Director and	
Data Collection:		Staff	
The district will review 100 % of the IEPs written			
during the progress reporting period requiring ESY			
services and report the total number of files reviewed			
and the total number of files appropriately			
documenting the amount of services needed, length			
of school day and duration of ESY services.			

**3 month Progress Report:** Of <u>11</u> files, initials/reevals, written following the April on-site review, <u>8</u> were found to specify the service to be provided, amount and location of service. Sped Director will meet with the sped staff on or before September 25<sup>th</sup> to review, amend current district procedures for determining and documenting Extended School Year (ESY) services in the IEP.

3 month review of progress-Not Met: Establish procedure, continue to review files and report data.

6 month Progress Report: 9 month Progress Report:

## 12. GENERAL SUPERVISION

Present levels: April 14th and 15th, 2008

## ARSD 24:05:27:01.03 Content of individualized education program (IEP)

A student's IEP must contain a statement of the student's special education and related services provided to the student. The student's IEP must also indicate the location of those services. **CFR 300.320 (a)(7) Comment Initiation, Frequency, Location and Duration of Services** What is required is that the IEP include information about the amount of services that will be provided to the child, so that the level of the agency's commitment of resources will be clear to parents and other IEP team members. The amount of time to be committed to each the various services to be provided must be appropriate to the specific service and clearly state in the IEP in a manner that can be understood by all involved into the development and implementation the IEP.

## Finding:

Through a review of seven student records, the special education and related services to be provided was not documented in a manner that provided a clear understanding of the district commitment of services to the student's family. Services were grouped under the generic category of "special education".

Corrective Action: Document the specific activities	Timeline for	Person(s)	(SEP Use
and procedures that will be implemented and the	Completion	Responsible	Only)
data/criteria that will be used to verify compliance.			Date Met
Activity/Procedure:			
The district will review and amend current procedures	February	Special	
and train staff in how to document the special	2009	Education	
education and related services in a manner that		Director and	
reflects the districts specific commitment of service to		Staff	
the student.			
Data Collection:			
The district will review all IEPs written during the			
progress reporting period and report to SEP the total			
number of IEPs reviewed and the number of IEP that			
specify the service to be provided, amount and			
location of the service.			

**3 month Progress Report:** Of  $\underline{11}$  files, initials/reevals, reviewed following the April on-site review,  $\underline{5}$  were found to specify the service to be provided, amount and location of service; the remaining  $\underline{6}$  did not seem specific enough. Sped Staff will meet on or before September  $25^{th}$  to review, amend current procedures and determine staff training in how to document the special education and related services in a manner that reflects the district's specific commitment of service to the student.

3 month review of progress-Not Met: Establish procedure, continue to review files and report data.

6 month Progress Report: 9 month Progress Report:

### 13. GENERAL SUPERVISION

Present levels: April 14th and 15th, 2008

24:05:25:12. Documentation of eligibility for specific learning disabilities.

For a child suspected of having a specific learning disability, the documentation of the determination of eligibility shall contain a statement of:

- if child does not achieve adequately for the child's age or does not meet stateapproved grade-level standards
- if the child does not make sufficient progress to meet age or state-approved grade-level standards; or the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade level standards or intellectual development;
- prior to, or as part of, the referral process, the child was provided appropriate instruction in regular education settings by qualified personnel;
- data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents

## Finding:

Through a review of student records, the documentation of eligibility for specific learning disabilities did not contain required information. Sections of the eligibility documents were consistently left blank.

Corrective Action: Document the specific activities and procedures that will be implemented and the	Timeline for Completion	Person(s) Responsible	(SEP Use Only)
data/criteria that will be used to verify compliance.	•	•	Date Met
Activity/Procedure:			
The district will review and amend current procedures and train staff in how to gather the required data and complete the eligibility document for specific learning disabilities (SLD).  Data Collection:  The district will review all eligibility documents for students initially evaluated or reevaluated during the progress reporting period and report the total number of files reviewed and the number of SLD reports that were completed correctly.	September 2008	Special Education Director and Staff	

3 month Progress Report: Of 5 files, initials/reevals, reviewed following the April on-site review, 4 were found to include correctly completed SLD reports. Sped Staff will meet on or before September 25<sup>th</sup> to review, amend current procedures and determine staff training in how to gather the required data and complete the eligibility document for specific learning disabilities (SLD).

3 month review of progress-Not Met: Establish procedure, continue to review files and report data.

6 month Progress Report: 9 month Progress Report:

## 14. GENERAL SUPERVISION

Present levels: April 14th and 15th, 2008

ARSD 24:05:13:02. Free appropriate public education (FAPE) defined.

For purposes of this article, the term, free appropriate public education, or FAPE, includes special education and related services which meet the following requirements:

- (1) Are provided at public expense, under public supervision and direction, and without charge;
- (2) Meet the standards of the state board in this article and the implementing regulations for Part B of the Individuals with Disabilities Education Act as in effect December 3, 2004, and 34 C.F.R. Part 300, published in the Federal Register on August 14, 2006;
- (3) Include preschool, kindergarten, elementary school, and secondary school education in South Dakota; and
- (4) Are provided in conformity with an individual educational program and this article. FAPE shall be made available to any eligible individual child with a disability who needs special education and related services even though the child has not failed or been retained in a course or grade and is advancing from grade to grade. FAPE shall also be provided to eligible children with disabilities who have been suspended or expelled from school consistent with chapters 24:05:26 and 24:05:26.01. The determination that a child is eligible under this article must be made on an individual basis by an IEP team.

## Finding:

Through interview and record review, the review team noted concern regarding a student reported under the category of emotional disturbance. Multiple issues surround this student and the provision of a free appropriate public education including the district ability to provide an appropriate education program due to the student's behavior. Currently the student's mother provides math instruction and intercedes at other times when the student's behavior escalates. Many of the issues of concern are beginning to be addressed following an amendment meeting held on May 4<sup>th</sup>, 2008. A recommendation for out of district placement was made at that time and steps have been taken to place the student into a program designed to address the student's behavior.

Corrective Action: Document the specific activities	Timeline for	Person(s)	(SEP Use
and procedures that will be implemented and the	Completion	Responsible	Only)
data/criteria that will be used to verify compliance.			Date Met
Activity/Procedure:			
The district must continue to be proactive in	September	Special	
developing a program that will result in educational	2008	Education	
benefit for this student.		Director and	
Data Collection:		Staff	
The district will submit to SEP a status report on this			
student to include amendments made to the IEP,			
behavior intervention plan and placement			
alternatives considered as the least restrictive			
environment.			

**3 month Progress Report:** This student was admitted to the Children's Home Society in Sioux Falls on June 12, 2008 for an in-house evaluation period of 14-45 days. The Team met on June 26<sup>th</sup> to review this student's two-week progress, and it was recommended that he continue placement there in order for all evaluations to be completed and the staff to get a better picture of this student's ability/disability, etc. The Team met again on July 24<sup>th</sup> and recommended transitioning this student back into his home and public school, as well as provide three months of after care/follow-up. The CHS Team will work with Vermillion School District staff to develop a transition plan, implement it and review/revise as needed. Our first meeting is scheduled for Thursday, August 14th and then plan to meet again the following week after the first days of school had begun.

3 month review of progress-Not Met: Continue to submit status report regarding the transition of this student back into the district.

6 month Progress Report:9 month Progress Report: